

Application No. 10/658,086
Preliminary Amendment dated January 25, 2010
Reply to Final Office Action dated September 25, 2009

Docket No.: 09868/000M893-US0

EXHIBIT 4

Docket No.: 09868/000M893-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shiro Majima et al.

Application No.: 10/658,086

Confirmation No.: 1394

Filed: September 9, 2003

Art Unit: 3714

For: GAME MACHINE

Examiner: R. A. Williams

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131

Shiro Majima and Keiri Yohioka hereby declare and state as follows:

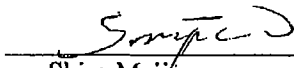
1. I am a citizen of Japan and I am more than twenty-one (21) years of age.
2. I am a co-inventor on the above-captioned patent application.
3. I have read and am familiar with the instant application as it was filed in the U.S. Patent and Trademark Office (hereinafter the "USPTO"), the currently pending claims, and the Office Action dated February 3, 2009.
4. Prior to August 30, 2002, the effective date of the Gomez reference (U.S. Patent No. 7,144,322), we had completed our invention as described and claimed in the subject application in this country, a NAFTA country, or a WTO member country. Our invention was conceived in full, and due diligence was used to reduce it to practice, for example by filing this patent application. As evidence that our work antedates Gomez, we refer to the attached translated e-mail correspondence, including an Invention Proposal, attached hereto as Exhibit 1. The original e-mail correspondence

in Japanese is attached as Exhibit 2.

5. I understand that claims 1-7, 9-23, 31-39, 41-49, and 50-56 are pending in the application, with claims 9-14, 41-48, and 51-53 having being withdrawn as being drawn to a non-elected invention. The subject matter recited in claims 1-7, 15-23, 31-39, 49, 50 and 54-56 is described in the Invention Proposal on page 2 of Exhibit 1.

6. The Invention Proposal on page 2 of Exhibit 1 describes a video-slot machine which counts a number of times said special symbol in each of said reels of said reel display module passes through at least one of said regions while the reel display module is in the changing display state showing the spinning of the reels and determining game points to be awarded to a player based on said measured count, as recited in independent claims 1, 17, and 33.

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Shiro Majima

Date: 2007.5.22

Keiri Yohioka

Date: _____